

MINUTES OF MEETING
CASS COUNTY JOINT WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
SEPTEMBER 11, 2014

The Cass County Joint Water Resource District met on September 11, 2014, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Mark Brodshaug and Dan Jacobson, Southeast Cass Water Resource District; Rodger Olson, Maple River Water Resource District (by telephone); Michael R. Buringrud, North Cass Water Resource District; Carol Harbeke Lewis, Secretary-Treasurer; Brenda Lovgren, Administrative Assistant; Sean M. Fredricks, Chris McShane and Lukas Andrud, Attorneys for the Board; Lee Beauvais and Kurt Lysne, Engineers for the Board; Brett Coleman and Terry Williams, Corp of Engineers; Jason Benson, Cass County Engineer; Bruce Spiller, Ty Smith and John Albrecht, CH2M HILL Engineers, Inc.; Eric Dodds, Dustin Dale and Tanaya Reitz, Advanced Engineering and Environmental Services, Inc.; Brady Woodard, Moore Engineering, Inc.; Scott Monroe, ARRI; and David Strand, property owner in Empire Township. Absent was Raymond Wolfer, Rush River Water Resource District.

Minutes

It was moved by Manager Jacobson, seconded by Manager Buringrud and unanimously carried to approve the minutes of the August 28 (three sets), September 3, and September 8, 2014, meetings.

Approval of Agenda

It was moved by Manager Buringrud, seconded by Manager Jacobson and unanimously carried to approve the agenda, as presented.

Metro Flood Diversion Project / Oxbow-Hickson-Bakke Ring Levee Project - access update

Chris McShane updated the board on access issues. Right of entry will be requested for 80 properties on the north end of the project for land surveys. Cass County and Richland County cemeteries are slated for cultural resource surveys only. In addition, Access Agreements will be sent to three landowners and the township for access to the Bakke Subdivision.

Metro Flood Diversion Project / Oxbow-Hickson-Bakke Ring Levee Project – land acquisition

Eric Dodds updated the Board on the status of various appraisals. ProSource Technologies, Inc. has submitted three more appraisals for Oxbow residential properties

to the Corp of Engineers for approval. They are also meeting this week with seven homeowners in Oxbow to present initial purchase offers and begin the relocation process. Purchase and relocation negotiations are also underway with Oxbow Country Club.

CH2M HILL Engineers, Inc. and Advanced Engineering and Environmental Services, Inc. (AE2S) are working with Houston-Moore Group, LLC (HMG) to define the land and right of way needs for three additional properties as part of the In Town Levees Project. HMG, CH2M HILL and AE2S conducted an informational meeting last week with Park East Apartment residents. Mr. McShane proposed fulfilling rental agreements for any units vacated in the Park East Apartment complex that will not be rented before the property is acquired, as part of the rent substitution per the Uniform Relocation Act.

It was moved by Manager Buringrud and seconded by Manager Jacobson to direct the land acquisition firms working on the In Town Levees Project to negotiate reasonable rental rates on any vacant apartments, with a sunset clause, and that the necessary agreements come back to the Water Resource District for final approval. Upon roll call vote, the motion carried unanimously.

The lot prices in Oxbow are being established. There will be no specials on the lots. The city of Oxbow has *Requests for Qualifications* to move housing. The Water Resource District Attorney will work with the Oxbow Job Development Authority on the matter.

Metro Flood Diversion Project / Oxbow-Hickson-Bakke Ring Levee Project - project updates

The letter issued to Minnesota Governor Dayton from the Diversion Authority was discussed. Questions arose regarding the halt of the Oxbow-Hickson-Bakke Ring Levee Project construction until the Minnesota Department of Natural Resources Environmental Impact Statement review is completed. The Diversion Authority Board will be notified that the Cass County Joint Water Resource District intends to fulfill the current contracts on the project.

Mr. Smith provided a construction status report on the Oxbow-Hickson-Bakke Ring Levee Project.

- On Work Package 43A, the levee extension is currently completed to elevation 922'. A Change Order is pending.

The remaining levee work includes roughly 40% of seeding, an aggregate utility road and filling the levee gap at Cass County Highway 25 (work possibly beginning on Friday). A possible addition to the upcoming Change Order would include seeding the golf course.

- On Work Package 43E.2.A, a Notice to Proceed for demolition of 333 Schnell Drive was sent to American Enterprises, Inc. on Monday, September 8, 2014. The house was demolished and the site will be backfilled today.
- On Work Package 43D.3.A, a limited Notice to Proceed was sent to Meyer Contracting, Inc. for the Gatewell Preload on September 5, 2014. A pre-construction conference has been tentatively scheduled for September 17-19, 2014. A full Notice to Proceed is anticipated by September 22, 2014.

Maple River Dam - tree removal project

The Water Resource District Engineer is working with contractors on the Maple River Dam tree removal project.

Maple River Dam - Easement for Minnesota Power

It was moved by Manager Buringrud and seconded by Manager Jacobson to authorize the Chairman and Secretary-Treasurer to sign an Easement with Minnesota Power to reroute the power line north, out of the Maple River Dam pool area, in the NE 1/4 of Section 27 in Highland Township. Upon roll call vote, the motion carried unanimously.

Maple River Dam - spillway repairs

It was moved by Manager Jacobson and seconded by Manager Buringrud to hire Industrial Builders, Inc. to repair cracks in the concrete on the Maple River Dam secondary spillway, at a cost not to exceed \$83,690. Upon roll call vote, the motion carried unanimously.

Maple River Dam - weed control

Manager Olson left the meeting at this time.

It was moved by Manager Buringrud and seconded by Manager Jacobson to spray weeds in Section 28 of Highland Township this fall. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Jacobson and seconded by Manager Buringrud to approve payment of Checks #11364 through #11368, as presented. Upon roll call vote, the motion carried unanimously.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Buringrud, seconded by Manager Jacobson, and unanimously carried to adjourn the meeting.

APPROVED:

Mark Brodshaug
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer